

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

NICHOLAS D. BROOKS,)	CASE NO. 7:14CCV00536
)	
)	
Petitioner,)	
v.)	FINAL ORDER
)	
)	
HAROLD W. CLARKE,)	By: Norman K. Moon
)	United States District Judge
Respondent.)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED** as untimely filed, and this action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

ENTER: This 8th day of May, 2015.


NORMAN K. MOON
UNITED STATES DISTRICT JUDGE